

MEMORANDUM

July 12, 1984

TO: Boston Redevelopment Authority

FROM: Robert J. Ryan, Director

SUBJECT: Charlestown Navy Yard
Tentative Developer: Designation
of Mr. Tom Moloney and Mr. Geoffrey Upward
Redevelopers of Building 120 in the
Charlestown Navy Yard

As a result of soliciting developer interest, the Authority has received a proposal for the redevelopment of Building 120 in the Charlestown Navy Yard into a restaurant whose design and construction will reflect the nautical heritage of the Navy Yard.

As a result of a thorough staff evaluation of the concepts, the financial figures, the design and the strength of the development team, it is recommended that Mr. Tom Moloney and Mr. Geoffrey Upward, acting as a Massachusetts Limited Partnership, be tentatively designated as developer of Building 120. The developer will be responsible for the restoration and renovation of the exterior of the buildings in accordance with the Authority's Rehabilitation guidelines. The developer will be required to renovate the interior of the buildings in accordance with plans submitted to and approved by the Authority.

The General Partners of this partnership bring a wealth of experience to this endeavor. Mr. Moloney is a well known Boston restaurateur who has rehabilitated, owned and managed a number of restaurants in Boston, Cambridge, New Hampshire, Florida and California. Mr. Upward is the President of Wolcott and Redstone, a full service advertising, marketing and public relations firm with headquarters in Birmingham, Michigan. Mr. Upward has a great deal of experience in graphic design, publishing and historic renovation. Through his years at the National Historic Trust in Washington, D. C., he brings an understanding of the history and renovation needs of the Navy Yard.

Serving as principal architect for the restoration and development of Building 120 will be the Vitetta Group, a nationally recognized architectural, engineering and planning partnership. Headquartered in Philadelphia, the Vitetta Group has served on a broad range of past projects, working with both the public and private sector. Vitetta has received a number of national awards for past works and the company prides itself on its commitment to excellence. Of special significance to Building 120 and the Navy Yard as a whole is Vitetta's emphasis and experience in dealing with historical restoration work. In all, Vitetta has richly deserved its reputation as a full service company, having provided a broad gamut of its professional talents to commercial, industrial, educational, correctional, health care, housing, recreational, religious, research, and transportation projects.

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Locally, the Vitetta Group is based at 75 Commercial Street in Boston's North End. Working directly with the developer on Building 120 is Vitetta's David M. Berkowitz, the project architect. Mr. Berkowitz brings to the job over fourteen years of professional experience. A graduate of the Pratt Institute, Mr. Berkowitz has worked on numerous projects in the Greater Boston area, providing architectural services on the Charles A. Dana Cancer Research Center, the Kendall Square MBTA Station, Burberry's in Boston's Back Bay section, Briggs Field House at Harvard University, and Phillips Academy at Andover.

The financial terms submitted by the developers' representatives are extremely beneficial to the Authority. The developers are willing to accept rental stipulations made by the staff, set forth as a flat charge (at 70¢ per square foot) plus a percentage of net cash flow (15%), along with a fee for Common Navy Yard Area maintenance (5¢ per square foot). In addition, the development will make annual real estate tax payments to the City of Boston of \$38,000. Through the use of the CARD plan, the developers have stated their intention to pursue an Industrial Revenue Bond, which is both desirable and recommended. It is also the intent of the developers to raise equity through opportunities presented by the Investment Tax Credit provisions for restoration of historic properties. Again, this usage raises the possibility that the developers will be able to raise sufficient capital and equity for rehabilitation. Finally, the provision calling for limited retail space on the first floor will increase the building's usage, thus making the project more attractive as rental property. The developer has submitted a letter of interest in this project from the Central Cooperative Bank of Somerville, MA.

Because of the quality of the rehabilitation plan and the strength of the development team, this proposal presents a tremendous opportunity for the Authority to expand upon the recent rebirth of interest in the Navy Yard. It is recommended, therefore, that Mr. Tom Moloney and Mr. Geoffrey Upward, as partners in a Massachusetts Limited Partnership, be tentatively designated as redevelopers of Building 120 at the Charlestown Navy Yard.

An appropriate resolution is attached:

BLDG. 120

TOMAS BRIDGE

QUEEN STREET

WHEELWRIGHT STREET

GATE 4

Historic Monument Area

Shipyard Park

National Historical Park

New Development Area

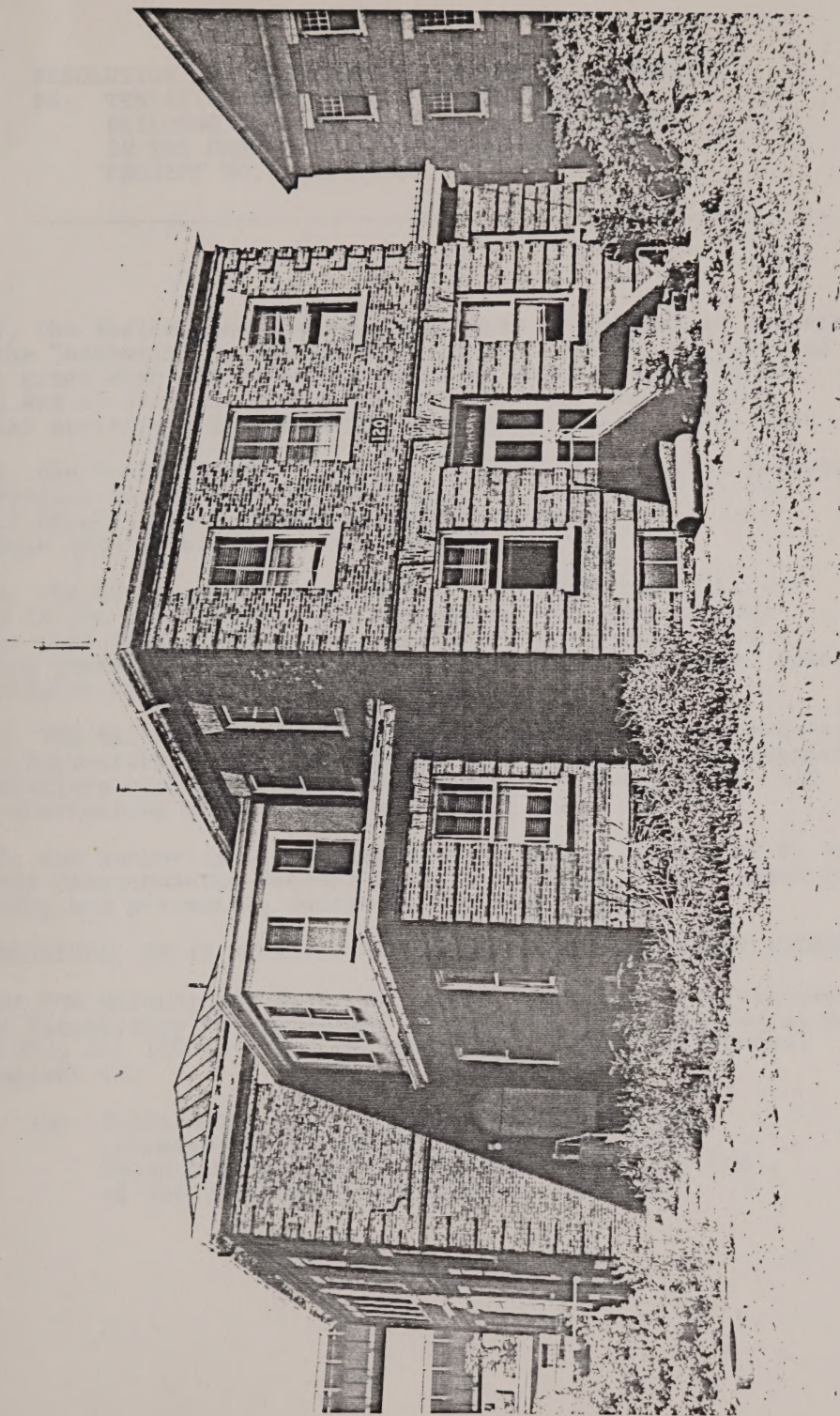
ILLUSTRATIVE SITE PLAN



BNS/C

BOSTON REDEVELOPMENT AUTHORITY

BOSTON NAVAL SHIPYARD AT CHARLESTOWN



RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: TENTATIVE DESIGNATION OF REDEVELOPER
BUILDING NO. 120, CHARLESTOWN NAVY YARD
IN THE CHARLESTOWN URBAN RENEWAL AREA
PROJECT NO. MASS. R-55

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"), has entered into a contract for loan and capital grant with the Federal Government under Title I of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified Project; and

WHEREAS, the Urban Renewal Plan for the Charlestown Urban Renewal Area, Project No. Mass. R-55, (hereinafter referred to as the "Project Area"), has been duly reviewed and approved in full compliance with local, State and Federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with federal financial assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, Tom Maloney and Geoffrey Upward, acting as a Massachusetts Limited Partnership, has expressed an interest in and has submitted a satisfactory proposal for the development of Building No. 120 in the Charlestown Navy Yard Urban Renewal Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 and 62 of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That Tom Maloney and Geoffrey Upward, acting as a Massachusetts Limited Partnership be and hereby is tentatively designated as Redeveloper of Building No. 120 in the Charlestown Navy Yard Urban Renewal Area Subject to:

- (a) Publication of all public disclosure and issuance of all approvals required by the Massachusetts General Laws and Title I of the Housing Act of 1949, as amended;

- (b) Submission by the Redeveloper to the Authority within ten (10) days of a letter in which;
 - (i) The Redeveloper agrees to begin substantial exterior and interior construction on or before August 1, 1984 for clean out purposes and to make the building weather-tight;
 - (ii) That the Redeveloper and the Authority agree to use their best efforts to execute a long term lease in a form satisfactory to the Authority by October 1, 1984; however not withstanding that if for any reason the lease is not signed by that date through no fault of the parties, the Redevelopers agree by this letter of intent to negotiate in good faith a Management Agreement and a Payment In Lieu of Taxes Agreement in a form satisfactory to the Authority. Said payments are proposed to commence October 1, 1984. This minimum payment will continue and be incorporated in the form of the final lease. It is understood by the Redeveloper that the lease shall contain other provisions regarding the rental in addition to the payment of taxes incorporated in the letter of intent. In addition to these items, the letter of intent will require the Redeveloper to post cash or letter of credit in an amount satisfactory in form and amount to the Authority for the proper and timely completion of the rehabilitation and to further insure the above referenced payments in lieu of taxes.
 - (iii) The redeveloper agrees to submission within one hundred and twenty (120) days in a form satisfactory to the Authority of:
 - (a) Evidence of the availability of necessary equity funds, as needed; and
 - (b) Evidence of firm financial commitments from banks or other lending institutions; and
 - (c) Final Working Drawings and Specifications; and
 - (d) Proposed development and rental schedule

2. That the leasing of Building No. 120 is the appropriate method of making the land available for redevelopment.

3. That the Director is authorized to execute a license with the developer to enter upon this Authority owned property in the Charlestown Navy Yard as the Director determines proper for immediate clean out and making the building whether tight prior to the execution of a formal lease agreement. Said license to include a "Hold Harmless" indemnification of the Authority and such other condition as the Director deems proper and in the best interest of the Authority.

4. That it is the firm intent of the Authority to revoke this designation if the above referred to conditions are not complied with.

5. That the Secretary be and hereby is authorized to publish notices of the proposed transaction in accordance with Section 105 (e) of the Housing act of 1949, as amended including information with respect to the "Redeveloper's Statement for Public Disclosure" (Federal Form H-6004).

PLEASE NOTE: THERE IS NO PAGE 4.

PART I

HUD-6004
(9-69)

REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE¹

A. REDEVELOPER AND LAND

1. a. Name of Redeveloper: John Paul Jones Limited Partnership
b. Address and ZIP Code of Redeveloper: 1314 Commonwealth Avenue
Brookline, MA 02146
c. IRS Number of Redeveloper: Application Pending

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority

(Name of Local Public Agency)

Charlestown Navy Yard

in

(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Massachusetts,
is described as follows²

Building 120, formerly used as medical dispensary

3. If the Redeveloper is not an individual doing business under his own name, the Redeveloper has the status indicated below and is organized or operating under the laws of Massachusetts:

- ☐ A corporation.
☐ A nonprofit or charitable institution or corporation.
☒ A partnership known as John Paul Jones Limited Partnership, specifically formed for the purpose of redeveloping Building 120.
☐ A business association or a joint venture known as
☐ A Federal, State, or local government or instrumentality thereof.
☐ Other (explain)

4. If the Redeveloper is not an individual or a government agency or instrumentality, give date of organization:
June 1984

5. Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of the Redeveloper, other than a government agency or instrumentality, are set forth as follows:

Tom Moloney (General Partner) 1314 Commonwealth Ave.,
Brookline, MA
Geoffrey Upward (General Partner) 1974 Fairway
Birmingham, MI

¹If space on this form is inadequate for any requested information, it should be furnished on an attached page which is referred to under the appropriate numbered item on the form.

²Any convenient means of identifying the land (such as block and lot numbers or street boundaries) is sufficient. A description by metes and bounds or other technical description is acceptable, but not required.

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- a. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock¹
- b. If the Redeveloper is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.
- c. If the Redeveloper is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest.
- d. If the Redeveloper is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
- e. If the Redeveloper is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.

<u>NAME, ADDRESS, AND ZIP CODE</u>	<u>POSITION TITLE (if any) AND PERCENT OF INTEREST OR DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST</u>
Tom Moloney 1314 Commonwealth Avenue Brookline, MA 02146	General Partner
Geoffrey C. Upward 1974 Fairway Birmingham, MI 48009	General Partner

6. Name, address, and nature and extent of interest of each person or entity (not named in response to Item 5) who has a beneficial interest in any of the shareholders or investors named in response to Item 5 which gives such person or entity more than a computed 10% interest in the Redeveloper (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Redeveloper; or more than 50% of the stock in a corporation which holds 20% of the stock of the Redeveloper):

<u>NAME, ADDRESS, AND ZIP CODE</u>	<u>DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST</u>
N/A	

7. Names (if not given above) of officers and directors or trustees of any corporation or firm listed under Item 5 or Item 6 above:

N/A

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

N/A

(The Redeveloper is to furnish the following information, but only if land is to be redeveloped or rehabilitated in whole or in part for residential purposes.)

¹ If a corporation is required to file periodic reports with the Federal Securities and Exchange Commission under Section 13 of the Securities Exchange Act of 1934, so state under this Item 5. In such case, the information referred to in this Item 5 and in Items 6 and 7 is not required to be furnished.

1. State the Redeveloper's estimates, exclusive of payment for the land, for:

- a. Total cost of any residential redevelopment. \$
- b. Cost per dwelling unit of any residential redevelopment. \$
- c. Total cost of any residential rehabilitation \$
- d. Cost per dwelling unit of any residential rehabilitation \$

2. a. State the Redeveloper's estimate of the average monthly rental (if to be rented) or average sale price (if to be sold) for each type and size of dwelling unit involved in such redevelopment or rehabilitation:

TYPE AND SIZE OF DWELLING UNIT	ESTIMATED AVERAGE MONTHLY RENTAL	ESTIMATED AVERAGE SALE PRICE
	\$	\$

b. State the utilities and parking facilities, if any, included in the foregoing estimates of rentals:

c. State equipment, such as refrigerators, washing machines, air conditioners, if any, included in the foregoing estimates of sales prices:

CERTIFICATION

I (We)¹ John Paul Jones Limited Partnership
certify that this Redeveloper's Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.²

Dated: June 13, 1984

Thomas J. Moloney
Signature
General Partner

1314 Commonwealth Avenue
Brookline, MA 02146

Address and ZIP Code

Dated: June 13, 1984

Goffrey C. Upward
Signature
General Partner

1974 Fairway
Birmingham, MI 48009

Address and ZIP Code

¹ If the Redeveloper is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.
² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department of the United States.

PART II

HUD-6004
(9-69)

REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(For Confidential Official Use of the Local Public Agency and the Department of Housing and Urban Development. Do Not Transmit to HUD Unless Requested or Item 8b is Answered "Yes.")

1. a. Name of Redeveloper: John Paul Jones Limited Partnership
- b. Address and ZIP Code of Redeveloper: 1314 Commonwealth Avenue
Brookline, MA 02146
2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority

(Name of Local Public Agency)

in Charlestown Navy Yard

(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Massachusetts,
is described as follows:

Building 120, formerly used as medical dispensary area

3. Is the Redeveloper a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms? ☐ YES ☒ NO
If Yes, list each such corporation or firm by name and address, specify its relationship to the Redeveloper, and identify the officers and directors or trustees common to the Redeveloper and such other corporation or firm.
4. a. The financial condition of the Redeveloper, as of _____, 19____, is as reflected in the attached financial statement.
(NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities, including contingent liabilities, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.)
See Attachment A
- b. Name and address of auditor or public accountant who performed the audit on which said financial statement is based:
5. If funds for the development of the land are to be obtained from sources other than the Redeveloper's own funds, a statement of the Redeveloper's plan for financing the acquisition and development of the land:
See Attachment A

6. Sources and amount of cash available to Redeveloper to meet equity requirements of the proposed undertaking:

See Attachment A

a. In banks:

NAME, ADDRESS, AND ZIP CODE OF BANK

AMOUNT

\$

b. By loans from affiliated or associated corporations or firms:

NAME, ADDRESS, AND ZIP CODE OF SOURCE

AMOUNT

\$

c. By sale of readily salable assets:

DESCRIPTION

MARKET VALUE

MORTGAGES OR LIENS

\$

\$

7. Names and addresses of bank references:

See Attachment A

8. a. Has the Redeveloper or (if any) the parent corporation, or any subsidiary or affiliated corporation of the Redeveloper or said parent corporation, or any of the Redeveloper's officers or principal members, shareholders or investors, or other interested parties (as listed in the responses to Items 5, 6, and 7 of the Redeveloper's Statement for Public Disclosure and referred to herein as "principals of the Redeveloper") been adjudged bankrupt, either voluntary or involuntary, within the past 10 years? ☐ YES ☒ NO

If Yes, give date, place, and under what name.

- b. Has the Redeveloper or anyone referred to above as "principals of the Redeveloper" been indicted for or convicted of any felony within the past 10 years? ☐ YES ☒ NO

If Yes, give for each case (1) date, (2) charge, (3) place, (4) Court, and (5) action taken. Attach any explanation deemed necessary.

9. a. Undertakings, comparable to the proposed redevelopment work, which have been completed by the Redeveloper or any of the principals of the Redeveloper, including identification and brief description of each project and date of completion:
See Attachment A

- b. If the Redeveloper or any of the principals of the Redeveloper has ever been an employee, in a supervisory capacity, for construction contractor or builder on undertakings comparable to the proposed redevelopment work, name of such employee, name and address of employer, title of position, and brief description of work:

Tom Moloney

Various construction and rehabilitation projects

10. Other federally aided urban renewal projects under Title I of the Housing Act of 1949, as amended, in which the Redeveloper or any of the principals of the Redeveloper is or has been the redeveloper, or a stockholder, officer, director or trustee, or partner of such a redeveloper:

N/A

11. If the Redeveloper or a parent corporation, a subsidiary, an affiliate, or a principal of the Redeveloper is to participate in the development of the land as a construction contractor or builder:

- a. Name and address of such contractor or builder:

N/A

- b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract? ☐ YES ☐ NO

If Yes, explain:

N/A

- c. Total amount of construction or development work performed by such contractor or builder during the last three years: \$ _____

N/A

General description of such work:

- d. Construction contracts or developments now being performed by such contractor or builder:

IDENTIFICATION OF
CONTRACT OR DEVELOPMENT

LOCATION

AMOUNT
\$

DATE TO BE
COMPLETED

N/A

e. Outstanding construction-contract bids of such contractor or builder:

AWARDING AGENCY

AMOUNT
\$

DATE OPENED

12. Brief statement respecting equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the redevelopment of the land, specifying particularly the qualifications of the personnel, the nature of the equipment, and the general experience of the contractor:

General contractor to be designated by developer

13. a. Does any member of the governing body of the Local Public Agency to which the accompanying bid or proposal is being made or any officer or employee of the Local Public Agency who exercises any functions or responsibilities in connection with the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ YES ☒ NO

If Yes, explain.

- b. Does any member of the governing body of the locality in which the Urban Renewal Area is situated or any other public official of the locality, who exercises any functions or responsibilities in the review or approval of the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ YES ☒ NO

If Yes, explain.

14. Statements and other evidence of the Redeveloper's qualifications and financial responsibility (other than the financial statement referred to in Item 4a) are attached hereto and hereby made a part hereof as follows:

CERTIFICATION

I (We) John Paul Jones Limited Partnership

certify that this Redeveloper's Statement of Qualifications and Financial Responsibility and the attached evidence of the Redeveloper's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.²

Dated: June 13, 1984

Thomas J. Jones
Signature

General Partner

1314 Commonwealth Avenue
Brookline, MA 02146

Address and ZIP Code

Dated: June 13, 1984

Stephen C. Upward
Signature

1974 Fairway
Birmingham, MI 48009

Address and ZIP Code

- ¹ If the Redeveloper is a corporation, this statement should be signed by the President and Secretary of the corporation; if an individual, by such individual; if a partnership, by one of the partners; if an entity not having a president and secretary, by one of its chief officers having knowledge of the financial status and qualifications of the Redeveloper..
- ² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department